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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/583,498	06/16/2006	Hermann Gollwitzer	502901-235PUS	3695

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COHEN, PONTANI, LIEBERMAN & PAVANE LLP  
551 FIFTH AVENUE  
SUITE 1210  
NEW YORK, NY 10176

EXAMINER
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SAINT CYR, JEAN D

ART UNIT	PAPER NUMBER
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2425

MAIL DATE	DELIVERY MODE
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12/15/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/583,498	<b>Applicant(s)</b> GOLLWITZER, HERMANN	
	<b>Examiner</b> JEAN D. SAINT CYR	<b>Art Unit</b> 2425	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 November 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 7-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 7-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☒ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### **Response to Amendment**

This action is in response to applicant's amendment filed on 11/11/2009. Claims 7-11 are still pending in the current application. **This action is made FINAL.**

### **Response to Arguments**

Applicant's arguments were fully considered, but they were not persuasive. Applicant argues that the filter 210 in Adams is tuned to a single specific frequency and each node is configured to receive only a single wavelength.

However, Adams et al disclose the signals in the one *or more channels* are coupled to the OADMs in each node by a standard optical transceiver, which performs modulation and demodulation,col.3,lines 18-32; that means the OADM filter receives a *plurality of channels* containing different wavelength; bi-directional fiber-optic transmission system arranged to interconnect a plurality of nodes with a hub, col.2, lines 51-52. The individual inputs are combined into a single WDM signal and applied to ring 101. Similarly, demultiplexer 235 receives the WDM signal on ring 101, separates the combined signal into seven separate output streams,col.4, lines 3-7. That means the filter receives data from a plurality of channels having different wavelength. As a result, this action is made final.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 7-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Broghammer et al in view of Adams US No. 6785472.

Re claim 7, Broghammer et al disclose an audio/video system for a motor vehicle, comprising a ring-shaped (the MOST bus is ring-shaped), bidirectional, optical network including optical fibers and audio/video appliances connected to one another in a ring shape by said optical network (see fig.1; Video and Audio Applications in Vehicles, 0014; with an optical connecting line, 0020; see fig.1, DVD player, TV receiver).

But Broghammer et al did not explicitly disclose wherein data are transmitted between said audio/video appliances in said network in a first data channel having a first optical wavelength and in a second data channel having a second optical wavelength, each of said audio/visual appliances having an optical coupler with filters for separating said first and second data channels.

However, Adams et al disclose wherein data are transmitted between said audio/video appliances in said network in a first data channel having a first optical wavelength and in a second data channel having a second optical wavelength, each of said audio/visual appliances having an optical coupler with filters for separating said first and second data channels(see fig.2,  $\lambda_1$ ,  $\lambda_7$ ; first wavelength channel and second wavelength channel, col.2, 35-37; see fig.2, optical coupler 110 with filter 210 and optical coupler 112 with filter 212; OADM filter 210 in node 110 is tuned to wavelength  $\lambda_{.1}$ , OADM filter 211 in node 111 is tuned to wavelength  $\lambda_{.k}$ , and OADM filter 212 in node 112 is tuned to wavelength  $\lambda_{.7}$ , col.3, lines 55-58; bi-directional fiber-optic transmission system arranged to interconnect a plurality of nodes with a hub, col.2, lines 51-52; The signals in the one or more channels are coupled to the OADMs in each node by a standard optical transceiver, which performs modulation and demodulation,col.3,lines 29-32; that means the OADM filter receives a plurality of channels containing different wavelength ).

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It would have been obvious for any person of ordinary skill in the art at that time the invention was made to incorporate the teaching of Adams into the invention of Broghammer for the purpose of allowing the system to transmit a plurality of signals at the same time in both directions without any interferences.

Re claim 8, Broghammer et al disclose wherein the data transmitted in said first data channels are formatted according to a first data format and data transmitted in said second data channel are formatted according to a second data format (The inventive graphic output unit 2 processes the various graphic data formats from different graphic data sources, and displays the processed, e.g., decompressed, graphic image data, 0023).

Re claim 9, Broghammer et al did not explicitly disclose wherein said first and second data channels have different bandwidths.

However, Adams et al disclose wherein said first and second data channels have different bandwidths (see fig.3).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to incorporate the teaching of Adams into the invention of Broghammer for the purpose of limiting interferences.

Re claim 10, Broghammer et al did not explicitly disclose wherein the one of the first and second data channels having a larger bandwidth is used to transmit data based on an Internet protocol.

However, Adams et al disclose wherein the one of the first and second data channels having a larger bandwidth is used to transmit data based on an Internet protocol(internet protocol networks, as well as other information bearing signals,

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sometimes referred to as "frames", that are found, for example, in streaming audio and/or video applications,col.4, lines 23-26).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to incorporate the teaching of Adams into the invention of Broghammer for the purpose of transmitting data that requires large bandwidth in using internet protocol.

Re claim 11, Broghammer et al did not explicitly disclose wherein data are transmitted in said network on further data channels having other optical wavelengths.

However, Adams et al disclose wherein data are transmitted in said network on further data channels having other optical wavelengths(FIG. 3 shows an illustrative set of seven channels, each 13 nm wide, and having a channel spacing of 20 nm.col.3, lines 24-26; transmission of different types of information bearing packets or signals, col.4, lines 16-21).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to incorporate the teaching of Adams into the invention of Broghammer for the purpose of transmitting data containing different optical wavelength.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean Duclos Saintcyr whose phone number is 571-270-3224. The examiner can normally reach on M-F 7:30-5:00 PM EST.If attempts to reach the examiner by telephone are not successful, his supervisor, Brian Pendleton, can be reach on 571-272-7527. The fax number for the organization where the application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either private PAIR

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or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197(toll free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, dial 800-786-9199(IN USA OR CANADA) or 571-272-1000.

/Jean Duclos Saintcyr /

/James Sheleheda/

Primary Examiner, Art Unit 2424